

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 837

Introduced by Assembly Member Levine

February 22, 2007

An act to ~~amend Section 387 of the Public Utilities~~ *add Section 25302.7 to the Public Resources Code*, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 837, as amended, Levine. Energy: renewable energy resources.

The Warren Alquist Energy Resources Conservation and Development Act requires the State Energy Resources Conservation and Development Commission (Energy Commission) to adopt, on a biennial basis, an integrated energy policy report containing information regarding the energy markets and systems.

This bill would require, as a part of the integrated energy report, each entity that serves or plans to serve electricity to retail customers, to provide the Energy Commission with information related to eligible renewable resources.

~~Under existing law the governing board of a local publicly owned electric utility is responsible for implementing and enforcing a renewables portfolio standard that recognizes the intent of the Legislature to encourage renewable energy resources, while taking into consideration the effect of the standard on rates, reliability, and financial resources and the goal of environmental improvement. Existing law requires the governing board of a local publicly owned electric utility to report certain information relative to renewable energy resources to its customers and to the State Energy Resources Conservation and Development Commission.~~

~~This bill would additionally require the governing board of a local publicly owned electric utility to annually report the proportion of electricity from eligible renewable energy resources provided to customers of the utility from an electricity generating facility owned and operated by the utility. This requirement would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~*no*. State-mandated local program: ~~yes~~*no*.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25302.7 is added to the Public Resources
2 Code, to read:

3 25302.7. As a part of each integrated energy policy report
4 required pursuant to Section 25302, each entity that serves or
5 plans to serve electricity to retail customers, including, but not
6 limited to, electrical corporations, nonutility electric service
7 providers, community choice aggregators, and local publicly
8 owned electric utilities, shall provide the commission with
9 information on the following:

10 (a) The total amount of electricity the entity procured from
11 eligible renewable resources as defined in Section 399.12 of the
12 Public Utilities Code over each of the previous two years.

13 (b) The amount of electricity the entity procured from eligible
14 renewable resources the entity owns and operates and the amount
15 of electricity from eligible renewable resources the entity purchases
16 from third parties.

17 (c) The total amount of eligible renewable resources the entity
18 owns and the total amount the entity has under contract for the
19 next five and 10-year periods.

20 ~~SECTION 1. Section 387 of the Public Utilities Code is~~
21 ~~amended to read:~~

22 387. (a) ~~Each governing body of a local publicly owned electric~~
23 ~~utility, as defined in Section 9604, shall be responsible for~~
24 ~~implementing and enforcing a renewables portfolio standard that~~

1 recognizes the intent of the Legislature to encourage renewable
2 energy resources, while taking into consideration the effect of the
3 standard on rates, reliability, and financial resources and the goal
4 of environmental improvement.

5 (b) Each local publicly owned electric utility shall report, on an
6 annual basis, to its customers and to the State Energy Resources
7 Conservation and Development Commission, the following:

8 (1) Expenditures of public goods funds collected pursuant to
9 Section 385 for eligible renewable energy resource development.
10 Reports shall contain a description of programs, expenditures, and
11 expected or actual results.

12 (2) The resource mix used to serve its customers by fuel type.
13 Reports shall contain the contribution of each type of renewable
14 energy resource with separate categories for those fuels that are
15 eligible renewable energy resources as defined in Section 399.12,
16 except that the electricity is delivered to the local publicly owned
17 electric utility and not a retail seller. Electricity shall be reported
18 as having been delivered to the local publicly owned electric utility
19 from an eligible renewable energy resource when the electricity
20 would qualify for compliance with the renewables portfolio
21 standard if it were delivered to a retail seller.

22 (3) The utility's status in implementing a renewables portfolio
23 standard pursuant to subdivision (a) and the utility's progress
24 toward attaining the standard following implementation.

25 (4) The proportion of electricity from eligible renewable energy
26 resources provided to customers of the utility from an electricity
27 generating facility owned and operated by the utility.

28 SEC. 2. No reimbursement is required by this act pursuant to
29 Section 6 of Article XIII B of the California Constitution because
30 a local agency or school district has the authority to levy service
31 charges, fees, or assessments sufficient to pay for the program or
32 level of service mandated by this act, within the meaning of Section
33 17556 of the Government Code.